

Docket No.: 1268-170U

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
:  
Zeev MAOR et al. : Confirmation No. 6945  
:  
U.S. Patent Application No. 10/519,387 : Group Art Unit: 1609  
:  
Filed: December 27, 2004 : Examiner: Barbara S. Frazier  
  
For: COSMETIC COMPOSITIONS CONTAINING SMALL MAGNETIC  
PARTICLES

DECLARATION UNDER 37 § 1.132

We Zeev Maor and Michael Royz, the named inventors on this Application hereby declare that tests were conducted, based on which we have determined that the claimed composition exhibits unexpected results. The following tests were conducted to evaluate the moisturizing effect of Strontium Dermud cream.

A total of 10 volunteers started the test. Subjects ranged in age from 18 to 60 years.

Test protocol:

1. The volunteers asked not to use any skin care product for 2 days before testing. They were able to continue normal personal washing with a bar of soap. Physical and mental stress was avoided 30 minutes before measurements.
2. The flexor aspects of both forearms was used. A test area measuring 6x18 cm was marked on each side, and the area was subdivided into equal areas according to the study demands.
3. Measurements were performed, after randomization 0, 15, 30, 60, 120, 180, 240, 300, 360, 420 and 480 minutes after application of the test products.
4. Pre values were recorded from the distal and proximal parts of the forearm immediately before application.
5. Test material (0.4ml) was spread over 6x18 cm test area. This gave a calculated

test material thickness of 37  $\mu\text{m}$ . The test material was applied to only one arm, after randomization, with the other arm serving as control.

6. Measurements were made symmetrically on the two arms during the experiment.

7. Electrical capacitance was measured with a capacitance meter, Corneometer CM 825, Courage & Khazaka (CK) that measures the first 10-20 $\mu\text{m}$  of the stratum corneum and also with Delfin MoistureMeter that has measuring depth of up to 30 $\mu\text{m}$ . The probe head with a condenser was applied to the skin surface at constant pressure.

Recordings were performed in a laboratory room at a temperature of 20-23°C and with a constant humidity. The same procedure was carried out with Dermud cream alone.

The following table shows the average of 10 measurements on human skin hydration at two different depths, after 8 hours of application of the cream:

Skin depth in $\mu\text{M}$	Dermud body cream	Control	Differences in improvement between control and test	Dermud body cream with 1% nano $\text{SrFe}_{12}\text{O}_{19}$	Control	Differences in improvement between control and test
10-20 after 8 hours	42.24	29.53	43%	58.68	28.21	108%
30 after 8 hours	32.25	19.90	62%	37.75	18.67	102%
10-20 Zero time	27.35	28.07	-3%	26.17	25.33	3%
30 Zero time	14.82	14.60	1%	15.23	13.63	12%

Zero time = before applying cream.

Units = arbitrary.

We therefore aver that:

The skin hydrations level of the area tested with Dermud body cream containing 1% nano  $\text{SrFe}_{12}\text{O}_{19}$  (70-100 nm) was significantly higher ( $p < 0.05$ ) than Dermud body cream alone at 10-20  $\mu\text{M}$  depth.

At 30  $\mu\text{M}$  depth there is no significant difference between the two creams.

Dermud improvement - 43% of moisturizing as detected in 10-20 micrometer epidermal depth 8 hours following skin application.

Dermud + nano magnets caused 2.5 times higher in moisturizing effect (as compared to the Dermud cream without nano magnets) and reached 108% improvement of moisturizing (as compared to control) after skin topically applied with cream, as detected in 10-20 micrometer epidermal depth 8 hours following skin application.

Therefore a long lasting epidermal moisturizing effect was achieved.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2008,

Zeev Maor

Dated this 19 day of June 2008,

Michael Royz

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Dated this 19 day of June 2008,

Zeev Maor  
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Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2008,

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Michael Royz